

REMARKS

Favorable reconsideration of this application in view of the above amendments and the following remarks is respectfully requested. By this amendment, claims 8, 28, and 32 have been amended, and claims 12 and 31 have been canceled. Applicants submit that no new matter has been added, and notice to that effect is respectfully requested. Currently, claims 1-11, 13-30, and 32-45 are pending of which claims 1, 8, 21, 28, and 32 are independent.

The Examiner is thanked for the indication of allowability of claims 12-20 and 31-45, if rewritten in independent form including the limitations of the base claim and any intervening claims. Claims 8, 28, and 32 have been amended. Applicants submit that claims 8-11, 13-20, 28-30, and 32-45 are in condition for allowance and formal notice of allowance is solicited.

The specification was objected to at page 4, lines 18 and 20 and at page 5, line 7. Applicant respectfully submits that the term "relatively" is used properly, as presented in the specification. Webster's dictionary defines this term as "to a relative degree or extent" where relative means "a thing having a relation to or connection with or necessary dependence on another thing." In the noted portion of the specification, the term "relatively" is used to comparatively distinguish the difference in the speed with which the instant invention can detect a long code as compared to that described in the background section. Hence, Applicant submits that the term "relatively" is properly used.

As to the term "aforesaid," Applicant submits that the term correctly relates back to the objects described in the previous paragraphs. Webster's dictionary defines the term as "said or

named before or above.” Hence, Applicant submits that the term “aforesaid” is properly used. Accordingly, withdrawal of these objections is respectfully requested.

Claims 1, 2, and 4 were rejected under 35 USC 102(e) as anticipated by Sato (U.S. Patent No. 6,754,205). Claims 3 and 5 - 7 were rejected under 35 USC 103(a) as being unpatentable over by Sato ‘205 in view of Milstein et al (Combination Sequences for Spread Spectrum Communications, IEEE Transactions on Communications, July 1977, pgs. 691-696). These rejections are respectfully traversed.

Sato relates to a method of detecting a long code from two shorter codes, a first short code that indicates a start time of the transmission of the spreading code and a second short code that indicates the long code being used. This is not the claimed method of detecting of independent claim 1.

Claim 1 recites “a method of detecting a long code composed of two shorter codes,” (emphasis added). In the instant case, the two shorter codes, which form a long code, are detected. In Sato, however, what is detected is not a part of the long code. The long code in Sato still must be detected; just a reduced number of long codes need to be searched. (Sato, column 2, lines 1-16).

Therefore, Sato fails to describe or suggest the invention of claim 1.

Milstein relates to combination sequences for spread spectrum communications. Milstein also lacks the claimed method of detecting in which two shorter codes, which form a long code,

are detected. Milstein fails to overcome at least this deficiency in Sato, and therefore, claims 2-7 are also not described or suggested by Sato, alone or in combination with Milstein.

Accordingly, withdrawal of these rejections are respectfully requested.

Claims 8-11 and 28-30 were rejected under 35 USC 103(a) as unpatentable over Sato '205 in view of Milstein and Fukawa (U.S. Patent No. 5,790,588). Claims 8 and 28 have been amended, as noted above. Applicant submits that this rejection is moot as to claims 8-11 and 28-30 in view of the above-noted amendments to the claims. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 21, 22, and 24 were rejected under 35 USC 103(a) as being unpatentable over Sato '205 in view of Phillips et al. (U.S. Patent No. 5,872,810). Claims 23, and 25 - 27 were rejected under 35 USC 103(a) as anticipated by Sato '205 in view of Phillips '810, and further in view of Milstein. These rejections are respectfully traversed.

As described above, Sato relates to a method of detecting a long code from two shorter codes, a first short code that indicates a start time of the transmission of the spreading code and a second short code that indicates the long code being used.

Claim 21 recites "[a] computer-readable medium of instructions for detecting a long code composed of two shorter codes," (emphasis added). As pointed out above, in the instant case, the two shorter codes, which form the long code, are detected. In Sato, however, what is detected is not a part of the long code. The long code in Sato still must be detected; just a reduced number of long codes need to be searched. (Sato, column 2, lines 1-16).

Therefore, Sato fails to describe or suggest the invention of claim 21.

Phillip relates to a programmable modem apparatus for transmitting and receiving digital data. Phillips lacks also the claimed computer-readable medium of instructions for detecting a long code composed of two shorter codes. Phillips fails to overcome at least this deficiency in Sato.

As described above, Milstein relates to combination sequences for spread spectrum communications. Milstein also lacks the claimed method of detecting in which two shorter codes, which form a long code, are detected. Milstein fails to overcome at least this deficiency in Sato, and therefore, claims 22-27 are also not described or suggested by Sato, alone or in combination with Phillips and/or Milstein.

Accordingly, withdrawal of these rejections are respectfully requested.

Applicant respectfully submits that all pending claims are in condition for allowance, and formal notice of such is requested. If the Examiner has any questions, he is respectfully requested to call the undersigned at the number listed below.

Respectfully submitted,



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